

**Montgomery County Agricultural Advisory Committee**  
**Meeting Minutes**  
**April 20, 2021**

**Attendees:** Eleanor Leak, Patrick Jamison, Doug Lechluder, Lori Larson, Jane Evans, Angie McNally, Peter Driscoll, Aliza Silver, Amanda Cather, Russ Allnutt, Debra Tropp, Chuck Schuster, John Brewer, Ben Butler

**Staff:** Jeremy Criss

**Guest:** Adam Darkin

1. **Call the Meeting to Order-Introductions:** 7:02 pm
2. **Approval of the March 16, 2021 AAC meeting minutes.** Approved as corrected (Evans/Larson)
3. **The County Executive has remitted a draft Bill to the County Council for Introduction, Environmental Sustainability – Building Energy Use Benchmarking and Performance Standards – Amendments to Chapter 18 Environmental Sustainability. The OAG staff met with DEP staff on April 8, 2021 to determine whether this bill will negatively impact agricultural buildings. The Office of Agriculture will recommend that existing and new agricultural buildings be added to Section 18A-38B Applicability and exempt from the bill. <https://montgomerycountymd.gov/green/Resources/Files/energy/building-energy-performance-standards.pdf>**

APAB and Farm Bureau are aware of this. Jeremy will make sure the soil conservation district is aware too. Farms in the equestrian community are most likely to have buildings larger than 25,000 sq ft. Most farm buildings do not have heating and air conditioning, though they have electricity for lights. There is a provision in the bill bracketed for deletion that discusses exempting buildings that are cumulatively 25,000 sq ft. Jeremy does not believe the agriculture community needs to be impacted by this energy use benchmarking for buildings that primarily have electricity for lighting. OAG will recommend that all existing and future agricultural buildings be exempt from the bill.

4. **The University of MD-Extension and Maryland Department of Agriculture conducted a two-day March 23-24, 2021 Good Agricultural Practices-GAP training and Certification for Montgomery County food producers and it was well attended with 23 farmers including some employees.**

Jeremy is hopeful we can expand the number of fruit and vegetable producers getting certifications and complying with the Food Safety Modernization Act,

which is more challenging and expensive than the MDA GAP. Jeremy wanted to get as many Montgomery County farmers MDA GAP certified as possible. The farmers who participated in the training are so far the ones who are participating in the farm to food bank program through the Manna Center. The farmers seemed to feel the training was valuable.

Chuck said they are getting ready to reach out to attendees one at a time to find out what additional help they may need to go through the writing process of getting their GAP standard operating procedures plan written.

- 5. Please see the MCFB Announcement for Scholarships that are now available for students interested in agricultural curriculums. The Friends of Montgomery County Farm Bureau have \$279,700 budgeted for future student scholarships.**

MCFB is offering scholarships. May 1 is the deadline. The Friends of MCFB is a non-profit organization; anyone who contributes can receive a tax deduction. Anyone going to school, including bachelors, masters, or PhD programs is eligible to apply. Jeremy sent out all the information on how to apply. If you are a current member of the MCFB and you have a family member who is going to school. The scholarship can apply to any area of study, not just agriculture.

- 6. 2021 MD General Assembly update:**

**HB 007 Deer Donation Tax Credit passed**

This is the add-on to the existing tax credit for counties like Montgomery that have the deer donation program. Any expenses the hunter has for donating the deer are eligible for the tax credit.

**HB 991 Forest Conservation Banking Credits-Existing Stands of forests passed**

Several farmers in the county have forest bank credits approved. This bill reversed last year's AG decision. The forest bank must have been created before December 2020. This rewards all farmers who have already invested in their forest bank.

**SB 414 Climate Solutions Now Act failed to pass**

Jeremy had included a letter that was submitted to the Montgomery County delegation from Lonnie Luther. Delegate Kumar Barve was sad that his HB 1356 blue ribbon solar commission was not going anywhere so he attached his blue-ribbon solar commission to Senator Pinsky's SB 414. This led to an outcome where the House and Senate could not reach consensus.

**HB 1356 Blue Ribbon Solar Commission failed to pass-*Please see the attached letter from Lonnie Luther, MCFB to the Montgomery County Delegation.***

- 7. The Office of Agriculture FY22 Operating Budget documents were attached to my cover memo and report for this AAC meeting. The PHED Committee Work Session is scheduled for April 22, 2021. *Please see the attached letters from the AAC and MCFB on the need to restore the Maryland Matching Money-MMM program that expands the purchasing power of customers at our farmers markets.***

This applies to FY22, beginning in July. Most of the County's budgets are on the consent calendar so they will be introduced and are usually passed based on staff recommendations. Andrew Friedson did ask for OAG's budget to be pulled from the consent calendar, so it will be discussed. In the past few years, OAG has been asked to take on additional responsibilities, including review all farm alcohol production requests and solar fields requests in the AR zone. The County Council also received the Ag Tourism Study in January of 2020. The Council was planning to take it up but then COVID hit. The study discusses OAG providing a similar role in reviewing all ag tourism venues, as it does with farm alcohol production. The solar ZTA requires OAG to provide recommendations to the Montgomery County Hearing Examiner for solar fields in the AR Zone. Friedson is sensitive to all this extra work that Jeremy, Mike, and Jackie must do. Jeremy has received letters from League of Women Voters and the Food Council (Heather Bruskin, stemming from their collaboration on the Manna Food Center Farm to Food Bank program) saying that the OAG budget should be looked at. Jeremy is hoping this consideration of OAG's budget leads to a new position in OAG. Jeremy has ideas for what that person would do and how that would fit into the organization structure.

Jeremy is hoping that the council is pleased with OAG's matching grant program in FY21, which had 10 applications; this is twice as many as in previous years. OAG could not accept more applications because they ran out of money in FY21. Jeremy is hoping they allocate more funds in the future.

- 8. Discussion on Leaf-gro that is provided by Maryland Environmental Service that many farmers use annually as a soil amendment. The Maryland Department of Agriculture has removed Leaf-gro from their approved list of organic soil amendments for organic certification because of the ink in the bags that are provided to residents for gathering leaves and grass clippings. Leaf gro is essential for the farmers that participate in the Farm to Food Bank Program-F2FB (2020-11 farmers and 2021-22 farmers) that provide food to the Manna Food Center for people in need at competitive prices.**

**Issue 1:**

Leaf-gro is produced at the Dickerson facility pursuant to a contract with the Maryland Environmental Service overseen by the DEP. The MDA was instructed by the USDA National Organic Program-NOP to remove leaf gro from the list of organic soil amendments because of the ink that is in the bags provided to residents to gather leaves and grass clippings.

OAG is working with MDA and Senator Chris Van Hollen to get the ink problem resolved. Jeremy does not know what is in the ink to cause the problem.

**Issue 2:**

Jeremy would like AAC to send a letter that would go to the County Executive to discuss the policies surrounding how Leaf-gro can be picked up at the Dickerson

facility. The facility requires only 40 cubic yard tractor trailer trucks. Nothing smaller than a 40 cubic yard truck can pull up and get loaded with Leaf-gro. Many farms cannot accommodate a tractor trailer. These trucks are hard to turn around and get out of farms. The reason we have this policy is that the court consent order stipulates how the County will run the composting facility, the incinerator, and the property where the ash is deposited (Dickerson Area Facilities Implementation Group-DAFIG is made up of interested parties including SCA). Jeremy tried in 2018 to get Lauren Greenberger to revisit their policy, but it was denied. Jeremy has had conversations with the director of DEP, Adam Ortiz, who is looking into the matter and recommended gathering letters of support. If we could allow Leaf-gro to be picked up in a 20 cubic yard dump truck, that would improve the accessibility to the product for farmers.

Jeremy has a list of farmers who have been communicating back and forth on a range of agriculture topics, that started last summer when the farm to food bank program was first developed. About 30 food producers have been complaining about the truck size policy and wanting the county government to do something about it. He has not done an official survey.

Motion to send a letter advocating for increased access to Leaf-gro for farmers in Montgomery County. Motion approved (Cather/Brewer) *Please note that Jeremy had not drafted this AAC letter because the OAG conducted an official survey, and we are waiting on the responses.*

## 9. Additional Items

### - **City of Gaithersburg Ag Breakfast-Council Laurie Anne Sayles-April 16, 2021**

Laurie Anne Sayles conducted her second agricultural breakfast panel conversation. Linda Lewis joined Jeremy and Tanya from Passion of Seeds Farm at the breakfast. Other attendees included the president of the Gaithersburg chamber of commerce and Mike Tidwell from MD chapter of the Sierra Club. The topic of the breakfast was the importance of Ag Reserve and farming, of climate change, and of solar.

Will Jawando was responsible for proposing the two-year revisit of the Solar ZTA. In two years, they will want to know how many solar fields are installed in the Ag Reserve. Jeremy is concerned that if there are none, the Council may revisit the ZTA and may remove the protection of Class II soils, which seems to be the biggest complaint from the solar industry and environmental community. Please let Jeremy know if you are interested in a solar field on your farm. OAG can help you find Class III-VIII soils on your farm and a possible tie-in to the electric grid or substation. Jeremy is working with several farmers already on this. The accessory solar level has increased from 120% to 200% which increases another incentive to farmers to install solar on their farms.

Lori is talking to a company about the accessory solar potential. They are totally booked through next year. It appears there is some interest growing. This is helpful to know for future reports to the Council.

**10. Adjournment.** Motion to adjourn (Driscoll/Leak). 8:02 pm.